

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION STAMP NO.562 OF 2016

Gaikwad Vijay Narayan & Ors.	..Petitioners
Versus	
The State of Maharashtra & Anr.	..Respondents

Mr. Rajaram Deshmukh , Advocate for the Petitioners.
Mr. P.G.Sawant , AGP for the State.

**Coram : SHANTANU KEMKAR &
 RANJIT MORE, JJ.**

Date : 29th APRIL, 2016.

P. C. :

Parties through their counsel.

2 At the outset, the learned counsel for the Parties submits that the question involved in this Petition is squarely covered by the judgment passed by the Division Bench of this Court in Writ Petition No.2358 of 2013 in the case of **Kiran Namdeo Shinde and Ors. v. The State of Maharashtra, Through Secretary, Social Welfare Dept. and Ors.** and other connected matters decided on 21.9.2013.

3 Having regard to the aforesaid submission made by the learned counsel for the parties, we allow this Petition by passing the following order:

(I) We declare that the benefit of ACPS, which is applicable to the employees of Group 'C' and 'D' non-teaching staff of the aided Private Schools in the State under the Government Resolution dated 30th April, 1998 as modified from time to time shall be available to the non-teaching staff of the same category in the private aided Ashram Schools;

(II) The appropriate Authority appointed by the State Government shall examine the individual cases of the petitioners for deciding whether they satisfy the criteria laid down for availability of the benefit of ACPS to the private aided Government Schools under the Government Resolution dated 30th April, 1998 as modified from time to time;

(III) We make it clear that the petitioners will be entitled to the benefit of the said scheme, provided they satisfy the eligibility criteria which is prescribed for the corresponding non-teaching staff of the private aided schools;

(IV) We grant time of six months to the respondents to scrutinize the cases of the

petitioners and to consider whether they are eligible for the benefit of ACPS;

(V) To those petitioners who are found eligible, the benefit shall be extended, as expeditiously as possible;

(VI) The Petition is disposed of on above terms.

[RANJIT MORE, J.]

[SHANTANU KEMKAR, J.]